

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

NON-DISCRIMINATION

Currently approved methods of administration under the Civil Rights requirements are on file in the Regional Office at this time.

TN 91-39 Approval Date JAN 15 1992  
Supersedes TN 74-1 Effective Date OCT 01 1991

91-39-MA (NJ)

**Non-Discrimination in Federally Assisted Program**

On June 30, 1965, The Department of Institutions and Agencies, State of New Jersey, filed a Statement of Compliance with the Department of Health, Education, and Welfare regulations under Title VI of the Civil Rights Act of 1964. This statement was found acceptable and the State of New Jersey is considered in compliance with Title VI of the Civil Rights Act of 1964.


In accordance with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 70b), and the regulations at 45 CFR Parts 80 and 84, the Medicaid agency assures that no individual shall be subject to discrimination under this plan on the grounds of race, color, national origin, or handicap.

This is to certify compliance with the Americans with Disabilities Act, P.L. 101-336, codified as 42 U.S.C. 12101 et seq.

This is to certify that the Statement of compliance and the implementing methods of administration are applicable to the New Jersey program of Medical Assistance (Title XIX).

This is to further certify that Departmental Administrative Order 3:04, effective November 1, 1977, Discrimination in Federally-Aided Programs, is applicable to the administration of the program of Medical Assistance (Title XIX). A copy of this Administrative Order is attached and made a part hereof.

Dated: 12/23/91

  
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Alan J. Gibbs  
Commissioner

Attachment: Administrative Order 3:04

91-39-MA (NJ)

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ADMINISTRATIVE ORDER 3:04  
(Revised 11/1/77)

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: 1 November 1977

DATE ISSUED: 15 October 1977

SUBJECT: Discrimination in Programs Assisted by the Department

This Administrative Order establishes the policies and procedures necessary to ensure that in the administration of programs assisted by the Department that there shall be no practices which are discriminatory on the basis of race, color, sex, religion, age, national origin and/or physical handicap.

I. GENERAL POLICIES

- A. Policies concerning discrimination in regard to programs and services provided under the New Jersey Comprehensive Social Services Plan, established and approved under various titles of the Social Security Act, are established for the Department consistent with requirements of federal acts and regulations prohibiting discrimination based on race, color, sex, religion, age, national origin and/or physical handicap.
- B. The Department shall administer the New Jersey Comprehensive Social Service Plan in a manner that will effectively provide that no distinction, either directly or through contractual or other arrangements, will be made on the basis of race, color, sex, religion, age, national origin or physical handicap in the provision of any benefits and services available under the State Plan.
- C. Criteria developed and actions taken by the Department in determining eligibility for and participation in any federally aided program either as a recipient or provider of service will not have the effect of subjecting individuals to discrimination based on race, color, sex, religion, age, national origin or physical handicap or defeating or substantially impairing the objectives of a program with respect to specific groups.

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- D. An equal opportunity will be afforded to all individuals to seek employment or become employed under any federally-funded program.
- E. The Department shall not approve any application for funding to support programs or the construction or renovation of facilities until it obtains an assurance from the applicant of its compliance with the mandates of Federal and State regulations prohibiting discrimination.
- F. The Department shall maintain such records and submit such reports as may be required by the federal government and will permit reasonable access by appropriate federal officials during normal business hours to such of its facilities, records and other sources of information as may be relevant.

## II. RESPONSIBILITY

### A. Department

- 1. To execute such documents and promulgate such statements of policy and procedure as are necessary to effectuate full compliance with the requirements of the Federal and State government.

### B. Divisions


- 1. To take such steps as necessary to assure that any agency, institution, or organization participating in the program through contractual or other arrangements, will comply with the Federal and State requirements.
- 2. To inform program applicants, recipients and participants (including agencies, institutions, and organizations) and the staffs of State and local agencies and interested persons concerned with the administration of such programs as to the requirements of Federal and State laws and regulations and the protections against discrimination assured thereby.
- 3. To establish a complaint procedure in addition to any other remedies available, whereby (a) any applicant, recipient, or other aggrieved person

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may file with designated State or local officials a written complaint of alleged discriminatory conditions or practices in the operation of the program; (b) prompt investigation will be made of such complaints; and (c) corrective action will be taken as warranted within a reasonable time.

4. To take such action as may be necessary to assure compliance with the policy and procedures set forth in this Order.



Ann Klein  
Commissioner

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